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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,170	04/20/2001	Shigemi Kurashima	1614.1162	9034
21171	7590	07/23/2004		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER NGUYEN, KIMNHUNG T	
			ART UNIT 2674	PAPER NUMBER

DATE MAILED: 07/23/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/838,170

**Applicant(s)**

KURASHIMA ET AL.

**Examiner**

Kimnhung Nguyen

**Art Unit**

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This application has been examined. The claims 1-30 are pending. The examination results are as following.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Berstis (US patent 6,229,526).

Regarding claims 1, 16, 30, Berstis discloses in figures 1-5, an input system (101, 103, figure 1A) comprising an information generation part which generates input information based on a given input operation; a transmission part (336) transmitting signals generated by having a plurality of different carrier frequencies modulated with the same input information (the devices 101, 103 are the same input, because they generated the same controller 214), see column 4, lines 44-49, column 9, lines 38-49; and a reception part (370, figure 5) receiving the transmitted signals and demodulating (374) the signals into the same input information (101, 103).

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Regarding claims 2, 17, Berstis discloses in figure 3, the input system further comprising wave direction parts which are provided close to said transmission part so as to provide the signals transmitted from said transmission part with directivity (see polling signal). Regarding claims 3, 15, 18 and 27, Berstis discloses wherein said wave direction parts are antennas (see polling signal).

Regarding claims 4, 19, Berstis discloses wherein said transmission part comprises a plurality of transmission circuits (see figure 3) for transmitting the signals of the different carrier frequencies (see column 4, lines 44-46).

Regarding claims 5-6, 20-21, Berstis discloses in figures 3 and 5, wherein said transmission part comprises an output part (336, figure 3) which outputs the different carrier frequencies, and modulation part (374, figure 5) which has the different carrier frequency modulated with the same input information.

Regarding claim 7, Berstis discloses wherein said reception part (370, figure 5) comprises a plurality of reception circuits (see figure 5) for receiving the transmitted signals and demodulating (374) the signals into the input information (see figure 5).

Regarding claims 8-9, 22, Berstis discloses the input system further comprising an inherent pad member including conductive wire, and further comprising a conductive part (remote control).

Regarding claims 10, 23, Berstis discloses an inherent conductive plate member (printed circuit board), and conductive part (remote control), therefore, wherein said conductive part contacts said conductive plate member so that the signals transmitted from the transmission part are transmitted via said conductive part to the conductive plate member.

Regarding claim 11, Berstis discloses wherein the input system comprising a plurality of wave direction parts (see polling signal) for receiving the signals transmitted from said transmission part (336, figure 3), said wave direction parts being provided on a side of said reception part (370, figure 5).

Regarding claims 12, 24, Berstis discloses in figures 1-5, an input system comprising a transmission part (336, figure 3) transmitting a signals generated by having a plurality of different carrier frequencies modulated with the same input information as discusses in claim 1; a plurality of wave direction parts (see polling signal, figure 3) which are provided close to said transmission part so as to provide the signals transmitted from said transmission part with directivity so that the same input information is transmitted alternately from the wave direction parts, and a reception part (370)receiving the transmitted signals and demodulating (374) the signals into the same input information (see 101, 103, figure 1A).

Regarding claims 13, 25, and 28-29, Berstis discloses in figure 1D, the input system further comprising a switching part (see button in figure 1D, or switches 318, 320, 322,

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324 of figure 2) which transmits the transmitted signal selectively to one of said wave direction parts based on a control signal supplied from said information generation part.

Regarding claims 14 and 26, Berstis discloses in figure 3, wherein said transmission part (336) comprises a plurality of transmission circuits (figure 3) for transmitting the signal.

Regarding claim 23, Berstis discloses a conductive part (remote control 106) on a bottom of the input device, wherein said conductive part contacts an inherent conductive plate member (may be printed circuit board) so that the signals transmitted from said transmission part are transmitted via said conductive part to the conductive plate member.

### *Response To Arguments*

3. Applicant's arguments filed on 2-17-04 have been fully considered but they are not persuasive.

Applicant argues that Berstis fail to teach "a transmission part signals generated by having a plurality of different carrier frequencies modulated with the same input information". Examiner respectfully disagreed with that, because Berstis discloses transmission part having plurality of different frequency modulated from the devices 101 and 103 are in one input system, and they are also generated the same controller 214, column 9, lines 38-49). From these reason, the rejection are maintained.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D. C. 20231

**Or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only).**

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kimnhung Nguyen  
July 22, 2004

  
RICHARD HJERPE 7/22/04  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600